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2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Implementation of the action plan of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and previous Review Conference outcomes

Report submitted by Portugal

Introduction

1. Portugal regards the Treaty on the Non-Proliferation of Nuclear Weapons as the cornerstone of global disarmament and non-proliferation efforts and a critical instrument to maintain the stability of international security. Portugal considers it necessary for all States to be committed to the validity of this Treaty as an international instrument.

2. The action plan agreed at the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and based on the 13 practical steps defined at the 2000 Review Conference represents a great achievement towards the collective effort on disarmament and non-proliferation and a guarantee of the much-needed holistic development of the three pillars that compose the Non-Proliferation Treaty. These three pillars must complement each other in order to assure not only a safer world but also the proper use of nuclear energy for peaceful applications which, in turn, will promote collective development on a sustainable basis.

3. Honouring its international commitments, Portugal is fully engaged with the goals, object and purpose of the Non-Proliferation Treaty in order to achieve the common aspiration of its parties of a world free of nuclear weapons. This pledge must be balanced with common efforts concerning the development of peaceful applications of nuclear energy and technology.

First pillar: nuclear disarmament (actions 1 to 22 of the action plan)

4. Portugal acknowledges and fully supports the efforts of the nuclear-weapon States to reduce their nuclear arsenals and to improve any measures to ascertain irreversibility, transparency and verifiability. In that regard, Portugal fully stands by the promotion of global disarmament, including as one of its national objectives, as established in article 7(2) of its Constitution. Moreover, in terms of transparency

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and verifiability. Portugal fully meets these principles, having comprehensive safeguards agreements with the International Atomic Energy Agency (IAEA) which include an additional protocol. Additionally, Portugal reports to several bodies, such as the European Union, the Zangger Committee, the Nuclear Suppliers Group and the Hague Code of Conduct.

5. Portugal also cooperates with the European Organization for Nuclear Research, the European Radiation Dosimetry Group and the European Association of National Metrology Institutes in the fields of radiological protection and safety, dosimetry and metrology of ionizing radiation and is part of such European Union technology platforms as the Multidisciplinary European Low Dose Initiative and the Implementing Geological Disposal Technology Platform (action 1).

6. Portugal has defended, in various instances, the need for the Conference on Disarmament to adopt a more complete and inclusive workplan. In fact, in line with its national commitments on disarmament, Portugal has insisted on becoming a member of the Conference on Disarmament (action 6). Portugal also participated in the 2010 high-level meeting on revitalizing the work of the Conference on Disarmament and taking forward multilateral disarmament negotiations. However, it is our firm belief that this kind of meeting must not replace the application of the Non-Proliferation Treaty in its entirety or put in jeopardy its own institutional structure (action 7).

7. Portugal fully supports the great importance of the Resolution on the Middle East, adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, urging the establishment of a Middle East zone free of nuclear and all weapons of mass destruction and their delivery systems, as well as the implementation of the action plan, approved by consensus at the 2010 Review Conference. Portugal regrets that a conference among the States of the region has not taken place yet, despite the tireless efforts of Ambassador Jaakko Laajava. Portugal hopes that this conference will occur in the future, and we are actively participating in conferences and seminars that seek to encourage political dialogue on these matters. Portugal is also promoting the conference bilaterally (action 9).

8. Portugal is a party to the Comprehensive Nuclear-Test-Ban Treaty and has participated in all article XIV conferences (action 12). Portugal has defended the need for the universalization of the Treaty and has been encouraging States, including the Annex 2 States, through multilateral and bilateral demarches, to ratify the Treaty (action 10); it has also actively promoted the provision of training to some countries regarding the promotion of the Treaty and the implementation of the National Regulatory Authority (action 13). Regarding States that are not parties to the Comprehensive Nuclear-Test-Ban Treaty, Portugal has defended the establishment of a moratorium on all kinds of nuclear tests (action 11). Portugal participates in the Comprehensive Nuclear-Test-Ban Treaty verification regime and, in line with article 25 (1) (a) of the Vienna Convention on the Law of Treaties, applies provisionally the International Monitoring System according to article IV (1) (a) of the Comprehensive Nuclear-Test-Ban Treaty.

9. Portugal has also established a facility agreement with the Provisional Technical Secretariat of the Comprehensive Nuclear-Test-Ban Treaty Organization for the stations located on its territory. It has extended the use of the civilian national seismic detection services in order to benefit from the Provisional

Technical Secretariat data regarding tsunami alerts (action 14). Portugal supports the idea of developing the appropriate verification regime.

10. Having co-sponsored the IAEA resolutions regarding safeguards, Portugal has actively promoted, in bilateral demarches and public interventions, the need for the signature and ratification of comprehensive safeguards agreements, including additional protocols, with IAEA. It has also provided its own version, in the Portuguese language, of its safeguards agreement to other countries, seeking to encourage and facilitate the establishment of such agreements with IAEA by other States (action 17).

11. Portugal supports cooperation among all stakeholders regarding the increase in confidence-building measures (actions 19 and 21). Several Portuguese universities have included non-proliferation and disarmament education in their curriculums, mostly in a broad manner within subjects such as geopolitics and international relations. Portugal has promoted several specific training courses on this subject: the Nuclear Technology Institute and the Portuguese Environment Agency have held dedicated courses on the subject of nuclear safety, regarding, inter alia, regulatory frameworks. The Ministry of Foreign Affairs has an active role in education on non-proliferation and disarmament: it has promoted lectures in post-graduate courses and has integrated trainees, through training-on-the-job, in the meetings of the First Committee of the General Assembly (action 22).

Second pillar: non-proliferation (actions 23 to 46 of the action plan)

12. Regarding non-proliferation efforts, Portugal has consistently appealed, in a joint effort with all States members of the European Union, for the universalization of the Non-Proliferation Treaty, having developed several demarches in that regard, in a bilateral and multilateral context (action 23). Portugal has established safeguards agreements with IAEA, in the context of the Non-Proliferation Treaty, and has an additional protocol (action 24). Regarding the safeguards agreements and additional protocols, Portugal has diligently executed several demarches with African Portuguese-speaking countries and East Timor and has provided its own additional protocol in the Portuguese language in order to facilitate the adoption of those instruments (actions 25, 28, 29 and 30). It has also intervened in several international forums in order to reaffirm the importance of the balance between the three pillars of the Non-Proliferation Treaty and its safeguards agreements (action 26). Portugal has also cooperated with IAEA at all levels to uphold the safeguards obligations of its version. In 2011-2012, Portugal, as a non-permanent member of the Security Council, assumed the chairmanship of the Security Council Committee established pursuant to resolution 1718 (2006) concerning the Democratic People's Republic of Korea (action 27).

13. Portugal has had a very active position towards the wider application of the IAEA safeguards agreements, but also regarding the small quantities protocols, in which Portugal actively seeks to encourage States to adopt and/or amend them. In that sense, Portugal has made several demarches in countries such as São Tomé and Príncipe and East Timor to conclude such agreements (action 31).

14. Portugal has also been supportive of the IAEA efforts regarding the State-level concept, but it also realizes that there is still work to be done regarding radiological threats and the control of radiological products (action 32). Portugal has fulfilled its financial commitments with IAEA and its technical and political obligations on a

bilateral level, as well as its participation in international organizations such as the European Atomic Energy Community and the European Union (actions 34 and 51).

15. Portugal has high standards regarding the control of products and technology that can be used in the development of nuclear or radiological weapons. Besides the national legislation and the application of European Union Council Regulation (EC) No. 428/2009, Portugal is also part of several international regimes and initiatives in this context, such as the Megaports Initiative, the Zangger Committee, the Nuclear Suppliers Group, the Proliferation Security Initiative, the Global Initiative to Combat Nuclear Terrorism and the Global Partnership against the Spread of Weapons and Materials of Mass Destruction, and has had an active posture regarding information exchanges with intelligence services, namely on counter-proliferation (actions 35, 36 and 37). The relevant national stakeholders apply the pertinent IAEA programmes (action 44), particularly those that concern regulatory matters. Portugal maintains productive cooperation with other countries, particularly in the context of the Country Programme Framework (action 46). Despite this tight export regime, Portugal maintains a firm commitment to the peaceful use of nuclear technology and materials and has imported and exported (mainly to Africa) radioactive isotopes for medical use, both for diagnosis and treatment, assuring at the same time the required technical cooperation and training activities (actions 38 and 39).

16. As far as security and physical safety of nuclear materials and facilities are concerned, Portugal stands by the appropriate international standards, having created the Portuguese Regulatory Commission for the Safety of Nuclear Installations (Decree-Law No. 30/2012 of 9 February 2012) and having fully transposed to its national legal order European Union Council Directives 2011/70 and 2009/71 regarding the safe management of radioactive waste and spent fuel and nuclear safety. It also ratified the amendments to article 6 of the IAEA statute in December 2013 (actions 40, 41 and 42) and the International Convention for the Suppression of Acts of Nuclear Terrorism on 25 September 2014 (action 45).

Third pillar: peaceful uses of nuclear energy (actions 47 to 64 of the action plan)

17. Portugal gives preference to the non-nuclear-weapon States regarding their specific needs, mostly for medical isotopes for both diagnosis and medical treatment (action 50). It has non-discriminate policies towards States regarding peaceful uses of nuclear energy and has no barriers as far as the import of energy or goods produced with the resource of nuclear technology are concerned. Portugal actively supports the development of nuclear energy and technology for peaceful purposes, developing outreach activities and training courses with several countries, namely, in Africa and the Mediterranean region (actions 47, 48, 49, 51 and 53). Moreover, it signed a Country Framework Programme with IAEA in 2013 and cooperates with States in the development of peaceful uses of nuclear energy. Portugal has also contributed in kind for the activities of IAEA and the Provisional Technical Secretariat (actions 52, 53, 54 and 56). In addition, it also participates in the European Union efforts, with extrabudgetary contributions to IAEA, in particular to the Nuclear Security Unit, within European Union contributions (action 55).

18. Portugal has at its disposal a wide range of national legislation and is part of all major international forums and legal instruments regarding matters relating to atomic energy and diligently applies the IAEA standards concerning peaceful uses

of atomic energy. Portugal has also been active in the creation of the low enriched uranium bank, in particular while a member of the IAEA Board of Governors (2010-2012) (actions 58 and 63).

19. Portugal has ratified the Convention on Nuclear Safety, the Convention on Early Notification of a Nuclear Accident, the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency and the Convention on the Physical Protection of Nuclear Material and has also acceded to the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management (action 59).

20. Portugal has promoted several outreach activities directed to its industry, in order to promote best practices regarding safety and security and also in order to present its relevant national and international legislation on this subject. It has promoted conceptual hydrogeological circulation models of Cabeço de Vide mineral waters and in Melgaço-Messagães (action 60). A conference was organized in order to raise awareness and to train doctors, nurses and other practitioners within the health system on radiological protection (actions 56 and 61).

21. In terms of international standards in transport safety, security and environmental protection, Portugal applies the major international legislation and has at its disposal the means to combat nuclear, radiological, biological and chemical Disasters, with the capabilities at its disposal of its armed forces and civil protection services. Portugal has also participated in international events and seminars regarding these aspects and has actively cooperated, together with other interested States, in the process that resulted in the adoption of resolution GC(58)/RES/10, at the fifty-eighth IAEA General Conference, regarding measures to strengthen international cooperation in nuclear, radiation, transport and waste safety. As a mainly coastal State, Portugal was involved in the Working Group on Best Practice Guidelines for Voluntary and Confidential Government to Government Communications on the Transport of Mox Fuel, High-Level Radioactive Waste and, as appropriate, irradiated Nuclear Fuel by Sea (action 62).

22. Portugal is party to some liability instruments and has supported, in line with the IAEA Action Plan on Nuclear Safety, a global nuclear liability regime which must be non-discriminatory and multilateral, and encompasses the unilateral involuntary risks and the associated accident costs.